

REMARKS/ARGUMENTS:

Claims 1-29 are pending and stand rejected.

By this Amendment, claims 1-13, 16-29 are amended, and new claims 30 and 31 are added.

Applicant contends that no new matter has been added by the claim amendments and new claims, and accordingly, entry and approval of same is respectfully requested. Support for the claim amendments and new claims is found throughout the specification, and, more particularly, in the specification at page 109, line 1 to page 110, line 16 and also, for example, in original claim 20.

Withdrawal of Finality of Office Action As Being Premature (Including Interview Summary)

On July 8, 2004, Applicant's Attorney conducted an Examiner interview with the Examiner, Ronnie Mancho, to review the finality of the Final Office Action mailed April 20, 2004. In the Examiner interview, it was submitted that the finality of this Office Action was premature and, accordingly, should be withdrawn because the previous Office Action only included an obviousness-type double patenting rejection and the Applicant filed a Terminal Disclaimer in response to this previous Office Action rejection. Thus, the new rejection under § 102(e) in this Final Office Action is not necessitated by any amendments to the claims in the intervening response. The Examiner agreed that the finality of the Office Action was premature and requested that a record of the Examiner interview be included with this response. This paragraph is meant to serve as the Interview Summary. Applicant's Attorney would like to thank the Examiner for his cooperation in this matter.

Accordingly, reconsideration and withdrawal of the finality of the Office Action is respectfully requested.

Claim Objection

In the Office Action at item 1, claim 1 was objected to for informalities therein.

The objection has been rendered moot by the amendment to claim 1.

Reconsideration is respectfully requested.

Specification Objection

In the Office Action at item 2, the title of the invention was objected to for not being descriptive.

The title has been amended as suggested by the Examiner.

Reconsideration is respectfully requested.

Claim Rejections under 35 U.S.C. §102(e)

In the Office Action at item 4, claims 1-29 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,408,232 to Cannon et al. (hereinafter referred to as Cannon).

Reconsideration is respectfully requested.

Claims 1, 19 and 20

Claim 1 is directed to a system to provide vehicle service recommendations or vehicle replacement part recommendations for the vehicle, and recites "an analysis device to analyze the collected vehicle data and to determine vehicle service recommendations or vehicle replacement part recommendations for the vehicle according to the collected vehicle data."

Cannon Reference

Cannon is directed to allowing a vehicle to temporarily establish a wireless piconet network with a fixed wireless piconet transceiver. Cannon, however, is silent with regard to the features recited in claim 1 of "an analysis device ... to determine vehicle service recommendations or vehicle replacement part recommendations for the vehicle according to the collected vehicle data," because in Cannon, a service manager (i.e., a person) performs analysis on subject vehicles. More particularly, Cannon discloses that "[o]nce at the automotive repair center, a wireless piconet (or scatternet) network can be established between the vehicle and a computer system in the automotive repair center. In this way, the monitored vehicle data can be accessed by the automotive repair center without the need to pull the car into the garage. This would enable the **service manager of the automotive repair center to perform more accurate 'triage'** on the vehicles in his or her parking lot" (emphasis added; see Cannon at column 8, lines 32-39). Thus, an analysis device to perform the above-mentioned function is not disclosed or even suggested by Cannon.

Accordingly, it is submitted that claim 1 patentably distinguishes over the cited art and is allowable.

Independent claims 19 and 20, which include similar features to the above-mentioned features in claim 1, should also be allowable for at least similar reasons to those of claim 1.

Claims 23 and 26

Claim 23 is directed to a method of servicing a vehicle, and recites "obtaining diagnostic information related to a determination of one or more vehicle service recommendations or one or more vehicle replacement part recommendations; determining said one or more vehicle service recommendations or said one or more vehicle replacement part recommendations according to the analyzed data and the diagnostic information."

Cannon Reference

As discussed above with reference to claim 1, the Cannon reference is silent with regard to "determining ... vehicle service recommendations or ... vehicle replacement part recommendations" (see claim 23). Furthermore, the Cannon reference is silent with regard to the recited feature in claim 23 of "obtaining diagnostic information ..." This is because in Cannon, a person (i.e., the service manager) performs triage on the vehicle.

Accordingly, the Cannon reference does not disclose or suggest the recitation in claim 23 of "determining ... vehicle service recommendations or ... vehicle replacement part recommendations according to ... the diagnostic information."

Independent claim 26, which includes similar features to the above-mentioned features in claim 23, should also be allowable for at least similar reasons to those of claim 23.

Dependent claims 2-18, 21-22, 24-25, and 27-29

Dependent claims 2-18, 21-22, 24-25, and 27-29 each include all of the features of the respective independent claims from which they ultimately depend. Thus, applicant contends that claims 2-18, 21-22, 24-25 and 27-29 are also allowable for at least the reasons set forth above.

New Claims 30 and 31

New claim 30 recites "a receiving unit to receive and to display the vehicle service recommendation or the vehicle replacement part recommendation to a user in the vehicle via the in-vehicle device from the analysis device," and should be allowable for at least these features.

New claim 31 recites "an analysis device to analyze the collected vehicle data and to determine the vehicle service recommendation or the vehicle replacement part recommendation for the vehicle according to the analyzed vehicle performance data and

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diagnostic information, corresponding to the vehicle, which relates to the analyzed vehicle performance data," and should be allowable for at least these features.

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Conclusion

In view of the amendments and remarks set forth above, Applicant respectfully submits that claims 1-31 are in condition for allowance and early notification to that effect is earnestly solicited.

Respectfully submitted,

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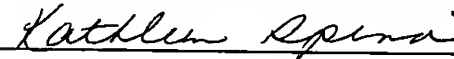
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